

Article - Transportation

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§21-902.4.

(a) (1) The Administration shall certify or cause to be certified ignition interlock systems for use in the State and adopt regulations for the certification of the ignition interlock systems.

(2) The regulations adopted under paragraph (1) of this subsection shall include requirements that an ignition interlock system:

- (i) Does not impede the safe operation of the vehicle;
- (ii) Minimizes opportunities to be bypassed;
- (iii) Correlates accurately with established measures of blood alcohol levels;
- (iv) Works accurately and reliably in an unsupervised environment;
- (v) Requires a proper and accurate measure of blood alcohol levels;
- (vi) Is installed in a tamper-proof manner and provides evidence of attempted tampering;
- (vii) Is difficult to circumvent and requires premeditation to circumvent;
- (viii) Minimizes inconvenience to a sober user;
- (ix) Is manufactured by a party responsible for installation, user training, service, and maintenance;
- (x) Operates reliably over the range of motor vehicle environments or motor vehicle manufacturing standards;
- (xi) Is manufactured by a person that is adequately insured for products liability;

(xii) Provides the option for an electronic log of the driver's experience with the system; and

(xiii) Is certified by a qualified laboratory approved by the Administration.

(3) (i) The Administration shall design and adopt a warning label to be affixed to an ignition interlock system on installation.

(ii) The warning label shall state that a person tampering with, circumventing, or otherwise misusing the ignition interlock system is guilty of a misdemeanor and on conviction is subject to a fine or imprisonment or both.

(4) (i) The Administration shall publish a list of certified ignition interlock systems.

(ii) A manufacturer of an ignition interlock system that seeks to sell or lease the ignition interlock system to persons subject to § 21–902.2 of this subtitle in the State shall pay the costs of obtaining the required certification.

(b) A person may not sell or lease or offer to sell or lease an ignition interlock system to a person subject to § 21–902.2 of this subtitle in the State unless:

(1) The system has been certified by the Administration; and

(2) A warning label approved by the Administration is affixed to the system stating that a person who tampers, circumvents, or otherwise misuses the system is guilty of a misdemeanor and on conviction is subject to a fine or imprisonment or both.

(c) A person that sells or leases an ignition interlock system in the State shall:

(1) Monitor the use of the system as required by the court; and

(2) Issue a report of the results of the monitoring to the appropriate office of the Division of Parole and Probation.

(d) The Administration shall adopt regulations establishing minimum standards for the certification of an approved service provider, including:

(1) The minimum qualifications described under § 16–404.1 of this article; and

(2) A requirement that an approved service provider shall maintain service and installation records and provide these records for inspection on the request of the Administration.

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